

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

HOPE A. THOMAS,

Plaintiff,

v.

**CSAA INSURANCE SERVICES,
INC.,**

Defendant.

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Case No. CIV-20-444-G

**MOTION TO AMEND SCHEDULING ORDER
AND EXTEND REMAINING DEADLINES**

Pursuant to Federal Rule of Civil Procedure (“FRCP”) 6(b)(1) and Local Civil Rule 7.1(h), Defendant, CSAA Insurance Services, Inc. (hereinafter “CSAA”), respectfully requests that the Court extend the remaining deadlines in the current Scheduling Order by ninety (90) days. In support of its motion, CSAA states as follows:

1. The plaintiff filed this case on May 13, 2020. [Doc. 1.] CSAA filed its answer on August 13, 2020. [Doc. 7.]

2. The Court entered a Scheduling Order in this Matter on October 9, 2020. [Doc. 18]. This is CSAA’s first request for extension of deadlines from this Scheduling Order, and it requests an extension due to outstanding discovery issues.

3. The parties began the discovery process in October 2020. CSAA has continued to pursue discovery in this matter, but its efforts have been significantly delayed due to Plaintiff’s failure to meet and confer and address the discovery issues. As

a result, CSAA is preparing to file both a Motion to Compel Discovery from Plaintiff and a Motion for a Protective Order.

4. The Motion to Compel and Motion for a Protective Order could impact the discovery process and current deadlines under the scheduling order.

5. In light of the foregoing, CSAA believes an extension of all current deadlines for ninety (90) days is necessary to continue pursuing discovery and allow the court time to resolve the pending motions. Several deadlines are fast approaching. CSAA seeks this extension in order to receive the relevant discovery prior to taking deposition testimony so that it can determine its final witness and exhibit lists; determine which experts it may need to retain; and determine the need to file any additional motions. Plaintiff does not oppose the 90-day extension. (See Exhibit 1).

6. FRCP 6(b)(1) allows the extension of time “for good cause.” The Tenth Circuit has noted that “district courts should normally grant extension requests, made before the deadline, in the absence of bad faith by the requesting party or prejudice to another party.” *Rachel v. Troutt*, 820 F.3d 390, 394 (10th Cir. 2016) (citing 4B Charles Alan Wright, Arthur R. Miller & Adam N. Steinman, *Federal Practice and Procedure* § 1165, at 605–08 (2015)); accord *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (10th Cir. 2010). In this case, CSAA approaches the Court in good faith and without opposition from Plaintiff.

7. This Motion is sought in good faith, and the requested extension will reset the deadlines in the Scheduling Order [Doc 18] as follows:

Description	Current Deadline	Proposed Deadline
Plaintiff's final list of expert witness(es) and expert reports	04/20/2021	07/19/2021
CSAA's final list of expert witness(es) and reports	05/11/2021	08/09/2021
Plaintiff's final witness list	05/05/2021	08/03/2021
CSAA's final witness list	05/19/2021	08/17/2021
Plaintiff's final exhibit list	05/05/2021	08/03/2021
CSAA's final exhibit list	05/19/2021	08/17/2021
Dispositive motions and <i>Daubert</i> motions	06/01/2021	08/30/2021
Discovery deadline	07/01/2021	09/29/2021
Trial Docket	09/14/2021	12/13/2021
Designation of deposition testimony	08/16/2021	11/14/2021
Objections and counter-designations	08/23/2021	11/21/2021
Objections to counter-designations	08/30/2021	11/28/2021
Motions in limine	08/16/2021	11/14/2021
Requested voir dire, trial briefs and jury instructions	08/16/2021	11/14/2021
Objections or responses to trial submissions	08/23/2021	11/21/2021
Final pretrial report and proposed order	08/16/2021	11/14/2021

WHEREFORE, CSAA respectfully requests the Court to grant its unopposed Motion to Extend Pre-Trial Deadlines and the Trial Docket by ninety (90) Days as set forth herein.

RESPECTFULLY SUBMITTED THIS 1st DAY OF APRIL, 2021.

Respectfully submitted,

s/ Mary P. Snyder

MARY P. SNYDER, OBA #31427

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing was mailed, postage prepaid, this 1st day of April, 2021 to:

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s/ Mary P. Snyder

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